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Serial No. 10/761,070
SEP 16 2004 Page 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 1624
Examiner : Brenda Coleman
Applicant(s) : MDEnnis, RLHoffman, NBGhazal, RMOlson
Serial Number : 10/761,070
Filed : 01/20/2004
For : NOVEL 2,3,4,5-TETRAHYDRO-
1H[1,4]DIAZEPINO[1,7a]INDOLE COMPOUNDS

Commissioner of Patents and Trademarks
Washington, DC 20231

REPLY IN RESPONSE TO THE 08/25/2004 OFFICE COMMUNICATION
AND SUPPLEMENTAL PRELIMINARY AMENDMENT

Sir:

Amendment Instructions

In the response to the 08/25/2004 Office Communication, Applicants request that the attached amendment to the abstract and claims be accepted. Please disregard the previous two submissions, one with a preliminary amendment dated 20 January 2004 submitted with the pending divisional application and one with an amended abstract dated 19 May 2004 in response to the 04/28/2004 Notice to File Corrected Application Papers. Applicants further correct typographical errors in the specification as discussed herein.

The amendments begin after page 3 of this paper. The amendment is numbered -#PA
Discussion begins on page 2 of this paper.

Amendment Instruction

Please replace paragraphs in the Specification spanning the following pages: page 3, line 17 to page 5, line 24, and page 9, line 1 to page 11, line 27 to correct typographical errors.

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Claims 1-18 and 21-27 are to be canceled and deleted. Claims 19 and 20 are the only pending claims and are amended herein to correct typographical errors.

Please delete the abstract as originally filed on pages 329-331 and replace with the abstract provided herein.

Discussion of Supplemental Preliminary Amendment

Specification

A typographical error is being corrected to change CO2 to CO₂ in the following locations (references to the attached amended Specification):

-1-PA, lines 11, 23, 29; page -2-PA, lines 10, 19, 32; page -4-PA, lines 10, 22, 28; and page -5-PA, lines 9, 18, 31.

A typographical error is being corrected to change CH2 to CH₂ in the following locations (references to the attached amended Specification):

-1-PA, lines 15, 29, 30; page -2-PA, line 1; page -3-PA, line 1; page -4-PA, lines 14, 28-30; and page -6-PA, line 1.

Claims:

Claims 1-18 and 21-27 are to be canceled and deleted.

Claims 19 and 20 are the only pending claims and are amended to correct typographical errors of "2" not being subscripted in the following places, with locations referring to the attached amendment (references to the attached Listing of Claims):

To change CO2 to CO₂: page -7-PA, lines 7 and 20.

To change CH2 to CH₂: page -7-PA, line 16; page -8-PA, line 6.

Abstract:

Please delete the Abstract as originally filed on pages 329-331. Please replace with the attached amended abstract. Support for the amended abstract can be found on at least page 1, lines 13-15, and page 3, line 17 to page 5, line 24 of the originally filed application. Said amendment does not add new matter. The clean version of this proposed amendment was

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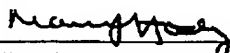
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submitted by instructions dated 19 May 2004 in response to the 04/28/2004 Notice to File
Corrected Application Papers.

Conclusion

Applicant respectfully submits that the amendments should be allowed. Applicants believe that the claims are in order for allowance, early notice of which is requested. If Examiner has any questions concerning this application, Examiner is invited to contact the below-signed attorney. It is believed that no fees are due. If necessary, please charge any additional fees or credit overpayment to our deposit account 21-0718.

Respectfully submitted,



Mary J. Hosley, Attorney
Registration No. 48,324

Date: 16 September 2004

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/761,070	
	Filing Date	January 20, 2004	
	First Named Inventor	MD Ennis	
	Art Unit	1624	
	Examiner Name	Brenda Coleman	
Total Number of Pages in This Submission	15	Attorney Docket Number	6237.NCP DV1

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Mary J. Hosley, Reg. No. 48,324
Signature	<i>Mary J. Hosley</i>
Date	16 September 2004

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Typed or printed name	Carolyn S. VanderMolen
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Date	9/16/2004

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